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9 Attorney for Defendant
10 FRANK GOWANS, JR.

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**UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,
v.
FRANK GOWANS, JR.
Defendant.

Case No.: 2:21-CR-00035-JAM

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE STATUS
CONFERENCE BEFORE
MAGISTRATE JUDGE CLAIRE**

STIPULATION

The defendant was temporarily released on conditions to receive medical care, and a status conference was set before Magistrate Judge Claire for an update on his progress for May 31, 2022. This date was continued to June 29, 2022, August 10, 2022, September 7, 2022, October 19, 2022, November 30, 2022, and January 9, 2023. The parties request it to be continued again to January 30, 2023. Defense counsel misread the defendant's appointment card. His next appointment is scheduled for January 19, 2023, not January 9, 2023.

Since being released, Mr. Gowans has reinstated his health insurance, received and is taking his previously prescribed medication, and he began working. He received

1 approval to see his specialist at Sutter Health, Dr. Peterson, and began seeing him. Mr.
2 Gowans has completed a physicians' appointments. He saw Dr. Peterson on August 14,
3 2022. He expected to receive cortisone injections into his elbows for the first time on that
4 date; however, his elbow was too swollen to receive the injections. He aggravated his
5 elbow at work. Mr. Gowans is no longer working. He attended an appointment on October
6 14, 2022, but his elbow was still too swollen for an injection, and he was told to continue
7 his medication. His last doctor's appointment was on November 16, 2022. His next
8 appointment is scheduled for January 19, 2023 (not January 9, 2023, as defense counsel
9 mistakenly believed), and it is expected that he will receive one or more Cortizone
10 injections to his elbow at that time. After he receives those injections, his doctor will
11 review the treatment plan.

12 The parties stipulate and jointly request that the status conference scheduled before
13 Magistrate Judge Claire on January 9, 2023, be continued to January 30, 2023, at 9:00 a.m.
14 and that the defendant continue to temporarily remain out of custody until that date and
15 time.

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17 Dated: December 19, 2022

/s/ David D. Fischer
DAVID D. FISCHER
Attorney for Defendant
FRANK GOWANS

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PHILIP TALBERT
US ATTORNEY

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22 Dated: November 19, 2022

23 By /s/ Jason Hitt
24 JASON HITT
25 Assistant United States Attorney

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1 [PROPOSED] ORDER
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4 IT IS SO ORDERED.
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7 Date: December 22m 2022
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11 Allison Claire
12 ALLISON CLAIRE
13 UNITED STATES MAGISTRATE JUDGE
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